



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

		<p>The 6th Account of BEVERLY MILLER, Mother and Trustee with bond of \$128,000.00 and accounts blocked, was settled on 6-22-11.</p> <p>The 6th Account covered through 12-31-10.</p> <p>On 2-5-13, the Court set this status hearing for failure to file the 7th account.</p> <p>Status Report filed by Attorney Denning (Unverified) states he is the attorney for MATTHEW MILLER, Successor Trustee.</p> <p>Mr. Miller has been unavailable from 1-25-13 to 3-15-13 while teaching at New York University. The attorney is informed that the trust's accountant will have the information necessary for him to prepare the final accounting by 4-1-13. The trustee will file his final accounting of the trust as soon as possible thereafter but no later than 5-15-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. A Nomination of Successor Trustee signed by Beverly Miller on 11-15-11 nominates Matthew Miller to serve as trustee without bond effective on her death or inability to serve. Matthew Miller accepted the nomination.</p> <p><u>However, Matthew Miller has not been appointed successor trustee by the Court pursuant to any petition or Probate Code, and bond cannot be waived by nomination.</u></p> <p>Examiner notes that Court records in the related conservatorship that the beneficiary Alison Miller has passed away, and it further appears that Beverly Miller <u>may have also</u> passed away based on a brief search of available Court records; <u>however, no information regarding these circumstances has been provided to the Court in this trust file.</u></p> <p><u>Therefore, need clarification and final account for periods 1-1-11 through date of death, and subsequent period pursuant to Probate Code §2620(b), or petition for appointment of Matthew Miller, or other petition under appropriate authority, with appropriate notice as required.</u></p> <p>The Court may also wish to set status hearing at this time for final account in the conservatorship estate 0437854.</p>
Aff.Sub.Wit.			
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FTB Notice			
		Reviewed by: skc	
		Reviewed on: 3-20-13	
		Updates:	
		Recommendation:	
		File 2 - Miller	

DOD: 12/24/09		INHERITANCE FUNDING COMPANY , interested party, is Petitioner. Petitioner states: 1. Stefanie Saylor was appointed Executor and Letters Testamentary were issued on 07/27/10. 2. Petitioner purchased a beneficial interest in the Estate of Stefanie Saylor. 3. Five assignments from Stefanie Saylor to IFC totaling \$116,200.000 have been filed in this matter. 4. The final Inventory & Appraisal was filed in this matter on 03/21/11 showing an estate value of \$330,087.76, but no accounting or status reports have been filed by the personal representative. 5. Pursuant to Probate Code § 12200 and 12202, Petitioner requests that Stefanie Saylor file either a Petition for Final Distribution or a Status Report regarding the administration of the estate. In the alternative, Petitioner seeks an Order citing Stefanie Saylor to appear before the court and show the condition of the estate and the reasons why the estate cannot be distributed and closed.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 02/21/13</u> Minute order from 02/21/13 states: Mr. Schroeder is appearing via conference call. Mr. Garland informs the Court that all the money has been placed in accounts in the name of Stefanie Saylor as executor. He further informs the Court that he will be able to prepare the accounting once he receives the bank statements from Bank of America. Matter continued to 03/29/13. The Court orders that there be no further distributions or movement of the accounts without further order of the Court. Mr. Schroeder is directed to prepare an order regarding the bank issue. As of 03/20/13, nothing further has been filed in this matter.
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		Petitioner prays for an Order: 1. Citing Stefanie Saylor, the personal representative of the estate, to appear before the court and show the condition of the estate and the reasons why the estate cannot be distributed and closed.	Reviewed by: JF Reviewed on: 03/20/13 Updates: Recommendation: File 3 - DeGerolmo

Atty Bagdasarian, Gary G. (for Petitioner Ronald J. Bryant, Conservator)
 Atty Wright, Janet L. (Court-appointed for Conservatee)

**First Account Current and Report of Conservator; Petition for Allowance of
 Conservator and Attorney's Fees; and for Reimbursement of Costs to Attorney
 (Probate code 2620, 2623 & 2640)**

DOD: 1/31/2013		<p>RONALD J. BRYANT, son and Conservator of the Person and Estate appointed 12/14/2011, is Petitioner.</p> <p>Account period: 12/14/2011 - 11/13/2012</p> <p>Accounting - \$55,812.73 Beginning POH - \$37,600.00 Ending POH - \$51,617.35 <i>(\$51,517.35 is cash)</i></p> <p>Conservator - \$139.50 <i>(per itemizations on Exhibits A, B, C, D, E; for 9.30 hours @ \$15/hour)</i></p> <p>Attorney - \$17,125.00 <i>(per Declaration filed 1/3/2013, itemized on Exhibits A, B, C, D, E; for 68.50 hours @ \$250/hour)</i></p> <p>Attorney Costs - \$1,385.00 <i>(filing fees, publication for sale, process server)</i></p> <p>Petitioner states:</p> <ul style="list-style-type: none"> Conservatee was a Defendant in an inter-pleader action (Case 10CECL12525) in which \$18,208.42 in undistributed surplus proceeds of a Trustee's sale were deposited with the Court, and following the Attorney's submission of a claim and attendance at hearing, the Court ordered after the judicial foreclosure that the surplus funds be distributed to the Conservatorship estate. Conservatee inherited a 1/4 interest in real property in Santa Maria, and following Order Confirming Sale of Real Property issued 9/25/2012, sale was consummated and proceeds of \$36,491.12 were deposited into the Conservatorship estate's blocked account. <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 3/11/2013.</u> Minute Order states the Court is informed that the Conservatee passed away. Matter continued to 3/29/2013. Counsel is directed to submit a declaration regarding the fees.</p>
Cont. from 021113, 031113			
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 3/20/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Bryant</p>	

NEEDS/PROBLEMS/COMMENTS, continued:

Note: *Ex Parte Order for Withdrawal of Funds from Blocked Account* filed 2/22/2013 authorizes **\$3,215.36** to be withdrawn from the Conservatorship account for payment to Santa Maria Cemetery for burial expenses.

Note: *Notice to Director of Health Care Services* under Probate Code §§ 215 and 9202 was filed 2/25/2013.

Saede, 6		KENNETH ROBERTS and YOUNGAE ROBERTS, maternal grandparents and temporary guardians, are Petitioners)	NEEDS/PROBLEMS/COMMENTS:
Jaeden, 4			
		Father (Saede): MARCOS GALVAN	CONTINUED FROM 03/07/13 Minute Order from 03/07/13 states: Matter continued to 03/29/13. Parties are ordered not to discuss this matter with the minors or indicated what they should or shouldn't do or say, nor indicate what could happen as a result thereof. In addition, the parties are ordered not to make any references to parentage around the children.
Cont. from 030713		Petitioner filed an Ex Parte Request to Terminate Visitation on 02/21/13. Order dated 02/22/13, set this matter for hearing.	
	Aff.Sub.Wit.		
✓	Verified	Petitioners allege that Saede's safety and well-being are being immediately threatened by her father Marcos Galvan during her visits with him and request that his visits be terminated, or in the alternative, be conducted at a supervising agency.	
	Inventory		
	PTC	The Current visitation schedule is every weekend from 6:00pm Friday to 9:00 am Sunday morning.	
	Not.Cred.		
✓	Notice of Hrg	Petitioners state that they have had ongoing serious concerns re the behavior of Mr. Galvan and have previously reported to the court about Mr. Galvan drinking and driving with Saede in the car and driving without a driver's license. Petitioners also state that they have concerns about Mr. Galvan's propensity to violence. During hearings, Mr. Galvan has represented to the court and the Petitioners that he had obtained a valid driver's license and would no longer drink and drive. Mr. Galvan did obtain a restricted driver's license, but Petitioners believe that it was suspended on 01/15/13 and despite this, Mr. Galvan has continued to tell the court investigator that he has a valid license. Petitioners do not believe that Mr. Galvan should be allowed to drive anywhere with Saede in the car.	
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	FTB Notice		

Reviewed by: JF
Reviewed on: 03/20/13
Updates:
Recommendation:
File 5A – Galvan & Roberts

On 02/17/13, following her visit with Mr. Galvan, Petitioner Kenneth Roberts asked Saede about her visit. Petitioner states that Saede said that Mr. Galvan told her he would "smack her harder than he had every smacked anyone" if she told Petitioners anything about her visit with him. Petitioner states that Saede was fearful telling Petitioner this information and is very afraid of Mr. Galvan. Saede stated that Mr. Galvan driver her in his car to a store where they sell beer, wine and cigarettes. Petitioners contacted the Fresno County Sheriff's and reported the incident. The report states that the deputy met with Saede and found her well-spoken, articulate and truthful. The report substantiates that Mr. Galvan threatens his daughter with physical violence if she tells anyone what he does, because it gets him in trouble with the judge. Saede doesn't understand how that can be if she is telling the truth. When coupled with Mr. Galvan's past behaviors, these new developments raise serious concerns. He has shown a willingness to threaten physical violence, a willingness to drink and drive with Saede in the car, and a willingness to drive without a valid driver's license. He has also shown a willingness to deceive the court and court investigator. Petitioner's believe that his past behavior coupled with the new threats against Saede make the status quo dangerous for her and request the immediate termination of visits between Marcos Galvan and Saede or in the alternative, that any future visits be supervised by a licensed organization that provides visiting services.

Points & Authorities in Support of Admission of Police Report into Evidence filed 03/18/13 states: Petitioners seek to have the police report described above admitted into evidence on the basis that the threat to Saede is relevant to the issues of visitation and the appointment of a guardian. Petitioners state that Saede's statements to the police officer are admissible non-hearsay. Further, her statements show her "state of mind" or "emotion" and therefore are admissible as exceptions to hearsay. Further, Evidence Code § 1280 provides that writings made as a record of an event, act or condition is not made inadmissible as hearsay provided the writing was made by and within the scope and duty of a public employee. Evidence Code § 1370 creates a hearsay exception for statements purporting to explain the infliction or threat of physical injury. The report of Saede's statements should be admitted. Saede reported a threat of harm to the officer. Inasmuch as the court has been reluctant to allow her to testify, Saede is unavailable as a witness. The statement to her was made during the weekend visit and reported the day she returned. The statement is trustworthy. The Court should note that Saede reported the same facts to Kenneth Roberts. Saede has also reported her father's drinking and driving to the Court Investigator and to Dr. Kathy Sullivan. Saede has a history of repeating similar statements about her father that tend to corroborate what she told the officer. In conclusion, the police report should be allowed into evidence, either as non-hearsay as to Saede's statements to the officer, or as exceptions to hearsay prohibition.

Atty Rusca, Christopher M. (for Marcos Galvan – Saede's father)

Atty Harris, Richard A. (for Kenneth & Youngae Roberts – Temporary Guardians)

Status Conference

Saede, 6		KENNETH ROBERTS and YOUNGAE ROBERTS , maternal grandparents, were appointed temporary guardians Ex Parte and temporary Letters were issued on 01/06/12. The Temporary guardianship has been extended multiple times.	NEEDS/PROBLEMS/COMMENTS:
Jaeden, 4			
Cont. from		Father (Saede): Marcos Galvan – objects to guardianship of Saede	
Aff.Sub.Wit.			
Verified		Father (Jaeden): Osirus Pulido – Consents & Waives Notice	
Inventory			
PTC		Mother: Sarah Roberts – deceased	
Not.Cred.			
Notice of Hrg		Saede's father, Marcos Galvan, objects to Mr. & Mrs. Roberts being appointed guardian of Saede. Mr. Galvan currently has weekend visitation with Saede. Mr. & Mrs. Roberts have filed numerous petitions to terminate Mr. Galvan's visitation, one such petition to terminate visitation is currently before the court.	
Aff.Mail			
Aff.Pub.		Minute Order from hearing on 02/15/13 set this matter for status.	
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Objections			
Video Receipt			
CI Report			
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Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 03/20/13	
		Updates:	
		Recommendation:	
		File 5B – Galvan & Roberts	

5B

Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs (Probate Code 15642, 16000, 16002, 16003, 16004, 16006, 16007, 16009, 16060, 16062, 17200, 17206)

Frank K. Ishii DOD: 11-10-93		GERALD ISHII , Beneficiary and Co-Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Lily Y. Ishii DOD: 3-7-05			
Cont. from 070212, 072712, 083112, 092712, 112612, 011413, 022513		<p>Petitioner states he and LESLIE ISHII (Respondent) were named successor co-trustees of the ISHII FAMILY TRUST DATED 3-3-92 (the "Trust"). The Trust consisted of interests in 8 parcels of real property, stocks, bonds, securities, cash, and other assets in Prudential-Bache Securities, and 300 shares of common stock in Frank K. Ishii & Sons, Inc., a California corporation owned by the Settlor.</p> <p>At the death of Frank K. Ishii on 11-10-93, two irrevocable and one revocable sub-trusts were created:</p> <ul style="list-style-type: none"> • The FRANK K. ISHII TRUST • The ISHII FAMILY MARITAL DEDUCTION TRUST • The ISHII FAMILY SUIVOR'S TRUST (revocable) <p>On 3-15-95, Lily Ishii, individually and as Trustee of the Trust, assigned a 36.44% interest to the FRANK K. ISHII TRUST, a 13.56% interest to the ISHII FAMILY MARITAL DEDUCTION TRUST, and a 50% interest to the ISHII FAMILY SUIVOR'S TRUST of the assets listed on Exhibit F, including accrued rent payable from the corporation of \$105,548 as of 11-10-93, a receivable due from the corporation of \$26,089 as of 11-10-93, and a proprietorship known as Lily's Hair Stylists consisting of furniture and fixtures, cash, supplies, inventory and goodwill.</p> <p>Lily Ishii died on 3-7-05 and he and LESLIE ISHII (Respondent) became Co-Trustees.</p> <p>Pursuant to Section 5.02 of the Trust, the three sub-trusts were to be combined on the death of the surviving settlor and certain distribution was to occur:</p> <ul style="list-style-type: none"> • \$75,000.00 to Sharon J. Shoji (daughter) • One-half of the remaining balance to Gerald • One-half of the remaining balance to Leslie 	<p>Continued from 7-2-12, 7-27-12, 8-31-12, 9-27-12, 11-26-12, 1-14-13, 2-25-13</p> <p>Status Report filed 1-7-13 by Attorney Fanucchi states further continuance is needed. Gerald Ishii maintains his brother Leslie is wasting the vineyard known as Candy Ranch by inappropriately pruning, tying, tilling, chemical control, and irrigating control which has diminished the value of the realty.</p> <p>Status Report filed 1-9-13 by Attorney Burnside states inquiry has been made to Les' accountant Jim Horn whether he has any documents in his possession regarding the expenses Les incurred to operate the Candy Ranch, but Mr. Horn has been unable to review his files due to his year-end workload. Counsel will follow up this week.</p> <p>Status Report filed 2-19-13 by Attorney Fanucchi states Gerald Ishii is unable to accept or reject what has been presented to date and has forwarded information to his accountant. Further continuance is needed.</p> <p>Status Report filed 2-19-13 by Attorney Burnside states the accountants had to reschedule their meeting and further continuance is needed.</p>
Aff.Sub.Wit.			
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SEE PAGE 2

PAGE 2

As to the corporation: Petitioner and Leslie each hold 300 shares individually and the Trust holds 300 shares. Petitioner and Leslie as individuals and as Co-Trustees may vote an equal number of shares, but have been in a deadlock as to the operation of the corporation since approx. 2007. As such, the corporation's status has become suspended with many tax liabilities remaining outstanding, which continues to decrease the value of the corporation.

A meeting of the directors of the corporation was noticed on 6-3-10 by Gerald, who is secretary; however, the meeting did not occur because Leslie found the principal place of business of the corporation to be an inconvenient meeting location, although it is approx. one mile from her home. No meetings have occurred since. Because the corporation is one-third owned by the trust, the deadlock between the Co-Trustees is impairing the administration of the Trust and causing trust assets to lose value.

Petitioner requests that the Court remove both Co-Trustees of the Trust and subtrusts because due to hostility and lack of cooperation among Co-Trustees, administration of the Trust and sub-trusts continue to be impaired and trust assets neglected. Probate Code §§ 15642(a)(3), 17200(b)(10). The Trust does not appoint a successor trustee in the event of removal; rather, it provides only the manner of successor appointments should one of the two become unable to perform. Petitioner requests appointment of **BRUCK BICKEL** as Successor Trustee with compensation to be approved by the Court. Mr. Bickel consents to act. Petitioner requests appointment without bond for one year to allow the corporate affairs to be brought to order, with authority to apply for an extension by Mr. Bickel should the corporate affairs remain unresolved and the Trust assets undistributed. Petitioner believes this appointment is in the best interests of the Trust and sub-trusts, and those persons interested in the Trust estate.

Petitioner requests that:

- 1. The Court temporarily and partially remove Gerald Ishii and Leslie Ishii as Co-Trustees of the ISHII FAMILY TRUST DATED 3-3-92;**
- 2. The Court appoint Bruce Bickel as temporary Successor Trustee to serve without bond for a period of one year, with the ability of Mr. Bickell to petition the Court for additional time should the corporate affairs remain deadlocked;**
- 3. The Court award reasonable compensation to the temporary Successor Trustee;**
- 4. The Co-Trustees to deliver the Trust assets to the temporary Successor Trustee within 30 days after issuance of an Order;**
- 5. The Court order Leslie Ishii to file an accounting with the Court detailing their respective acts as Co-Trustees no later than four weeks after the Court makes its order;**
- 6. The Court order Petitioner's attorneys' fees in the amount of \$1,000.00 and costs advanced to be paid to such attorneys directly from the Trust, to be charged 100% to income, and paid within 10 days after the Court makes its order; and**
- 7. Such further orders as the Court deems proper.**

SEE PAGE 3

PAGE 2

Objection of LESLIE ISHII states this probate proceeding is not the proper forum or vehicle to resolve such corporate issues. This lawsuit is premature at best and legally inapposite to the issues it proposes to resolve at worst. The corporation is deadlocked; however, the instant petition filed as a trust proceeding does not request any form of relief that will serve to end the shareholders' deadlock and restore the corporation to operational status. Specifically, the appointment of a neutral third party trustee will not resolve any issues with regard to the operation of the corporation. While a trustee may have the right to vote shares of stock held in trust, a trustee's paramount duty is to distribute trust property pursuant to the terms of the trust instrument. Here, the trust instrument requires the residue be distributed one-half each to Petitioner and Respondent. If a neutral third party trustee is appointed, he will be obligated to distribute the shares held in trust accordingly, not to vote the shares, and, in effect run the business of the corporation.

Respondent has no objection to the immediate equal distribution of the shares of the corporation currently held in trust. In the likely event that said distribution does not resolve the deadlock, however, Petitioner's only recourse will be to file a lawsuit for involuntary dissolution in the unlimited civil department of the Superior Court.

Respondent requests that the Court issue an order requiring the Co-Trustees to immediately distribute 150 shares of Frank K. Ishii & Sons, Inc., each to Petitioner and Respondent, and for reasonable attorneys' fees and costs incurred herein.

Alternatively, Respondent requests the Court issue an order removing Petitioner and Respondent as Co-Trustees, but only as to their fiduciary ownership of the Trust's 300 shares of Frank K. Ishii & Sons, Inc.; appointing Bruce Bickel as temporary successor trustee without bond solely for the purpose of administering the Trust's 300 shares of Frank K. Ishii & Sons, Inc.; authorizing Mr. Bickel to petition to continue to serve should it be in the best interests of the beneficiaries or the affairs of the corporation that he remain in such role; awarding reasonable compensation to the temporary Successor Trustee; requiring the Co-Trustees to deliver the shares of Frank K. Ishii & Sons, Inc., to the temporary Successor Trustee by a date certain; for reasonable attorneys' fees and costs incurred herein; and for any and all other relief the Court deems just and proper.

Frank K. Ishii
DOD: 11-10-93

Lily Y. Ishii
DOD: 3-7-05

GERALD ISHII, Beneficiary and Co-Trustee,
filed the petition at Page 6A on 5-17-12.

LESLIE ISHII, Beneficiary and Co-Trustee, filed an objection on 6-21-12.

Hearings have been continued since 7-2-12 (8 total, including this hearing).

At the last hearing on 2-25-13, counsel requested continuance and in addition to continuing the petition at 6A, the Court set this additional status hearing.

As of 3-20-13, nothing further has been filed.

NEEDS/PROBLEMS/COMMENTS:

Note: See Page 6A for details of the petition and file to date.

Aff.Sub.Wit.	
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Citation
FR 11-16

FIB Notice	
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Reviewed by: skc

Reviewed on: 3-20-13

Updates:

Recommendation:

File 6B - Ishii

Atty Donaldson, Larry A. (for Larry A. Donaldson – Executor)

Atty Leonard, Laura (pro per – daughter)

Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution

DOD: 06/22/07		LARRY A. DONALDSON , friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 012513		No Inventory & Appraisal has been filed.	CONTINUED FROM 01/25/13 Per Mr. Donaldson's request.
	Aff.Sub.Wit.	Notice of Status Hearing filed 11/28/12 set this matter for status. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Larry A. Donaldson on 10/19/12.	As of 03/20/13, nothing further has been filed and the following remains outstanding:
✓	Verified		
	Inventory	Declaration of Beneficiary Laura Leonard re Probate Status Hearing – Failure to File First Account or Petition for Final Distribution filed 01/13/11 states: she and her brother (both beneficiaries of the estate) have made many written and verbal requests to Mr. Donaldson requesting an accounting and for their father's estate be brought to a close. Ms. Leonard states that Mr. Donaldson has ignored their requests and repeatedly failed to communicate with them regarding the estate. Ms. Leonard and her brother had an attorney, Frederick Borges, contact Mr. Donaldson on their behalf to request that he move forward with the estate. Mr. Donaldson responded that he would move forward, but has failed to do so. Ms. Leonard states that she and her brother have also made a complaint to the state bar of California regarding Mr. Donaldson's failure to act. Ms. Leonard states that after all of these efforts, Mr. Donaldson recently provided them with a sloppy, incomplete "accounting", however several years' worth of information is absent and many of the transactions are questionable. Declarant further states that she and her brother were supposed to receive a distribution in early January, but have not received anything.	<ol style="list-style-type: none"> 1. Need Inventory & Appraisal. 2. Need Accounting and/or Petition for Final Distribution.
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	FTB Notice		

Reviewed by: JF

Reviewed on: 03/20/13

Updates:

Recommendation:

File 8 - Wallace

Status Hearing Re: Settlement Agreement

Age:	JAMES LOUIS ROBERTS , Executor, filed a petition for determination of the beneficiaries under the will and for final distribution .	NEEDS/PROBLEMS/COMMENTS: 1. Need Settlement Agreement and Order for Distribution according to Settlement Agreement.
DOD:		
Aff.Sub.Wit.	Executor requested the court find that West Park Baptist Church was the beneficiary of the remaining estate consisting of \$119,359.98.	
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UCCJEA		
Citation		
FTB Notice	<p>ANNA B. HINLEY and FRANCES ALBERS, Trustees of the Chester and Lorene Living Trust dated 4/12/07 filed objections requesting distribution of 50% interest in the net Estate be made to the Chester and Lorene Living Trust dated 4/12/2007, and that the Estate be ordered to reimburse Gary Bagdasarian the sum of \$18,095.71 as compensation for services on behalf of the Objectors.</p> <p>Minute Order 1-2-13: Greg Roberts appearing via conference call. Ms. Lind objects to the payment of fees to Mr. Bagdasarian's client. The Court sets a Settlement Conference on 3/4/13. The Court directs counsel to submit their Settlement Conference Statements on week before the hearing. Matter set for Court Trial on 3/15/13 with a one day estimate.</p> <p>Minute Order 3-4-13: Also present in the courtroom are Donna Wyatt and Gail Brown. Frances Albers is appearing via conference call. Parties reach a settlement agreement as fully stated on the record by Mr. Roberts. Parties agree that the trust will waive any and all claims as to the Probate estate. In addition, parties agree to waive further accountings of the trust and estate and all objections are withdrawn. Upon inquiry by the Court, each party individually agrees to the terms and conditions of the settlement agreement. Mr. Roberts is directed to prepare the settlement agreement. The settlement agreement and order regarding the withdrawals from the blocked account(s) to be submitted on an ex parte basis. Set on 3/29/13 at 9am in Dept 303 for Status Re: Settlement Agreement</p> <p>Order signed 3-15-13 provides at #8: "The beneficiary of the amount of \$119,359.98 will be covered in the Settlement Agreement.</p>	

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 7-9-10	MARY M. DAVIS was appointed Executor with Full IAEA without bond on 10-18-10.	NEEDS/PROBLEMS/COMMENTS:
	Two <u>Partial</u> Inventory and Appraisal documents have been filed on 1-24-13 and 2-13-13.	1. Status report is not verified by the fiduciary. Probate Code §§ 1021, 1023, Local Rule 7.5.
Aff.Sub.Wit.		2. Need Final I&A.
Verified	At hearing on 3-8-13, the Court set a Settlement Conference for 5-13-13 regarding a petition for removal of Ms. Davis as Executor, and also set this status hearing for the filing of the <u>Final</u> Inventory and Appraisal.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Declaration of Michael Farley filed 3-13-13 states this hearing may have been set erroneously, as his previous report indicated that the Final Inventory and Appraisal would be submitted to the <u>Probate Referee</u> within two weeks, not <u>filed</u> within two weeks. As explained in the Second Report, those activities necessary to obtain an appraisal by the Probate Referee of the Decedent's interest in Whitney Oaks Dairy (the "Partnership") have commenced and information has been provided to the Probate Referee. Attached is a <u>draft</u> list of potential partnership assets that will be used for valuation.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	Attorney Farley states although every reasonable effort has been made to comply with the Court's order requiring Final I&A by 3-29-13, he is not certain it can be accomplished given the parameters of the appraisal sought from the Probate Referee.	
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 3-20-13
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 11 - Davis

12 **Barnett Seymour Salzman (CONS/PE)**
 Atty Wright, Janet L. (for Conservatee Barnett Seymour Salzman)
 Atty Severin, Vance (Pro Per – Temporary Conservator)
 Atty Severin, Terri (Pro Per – Temporary Conservator)

Case No. 12CEPR00588

Status Hearing Re: Filing of First and Final Account of Temporary Conservator

Age: 74	<p>VANCE SEVERIN and TERRI SEVERIN, Brother and Sister of Mr. Salzman's wife, Stacy Salzman, were appointed as Temporary Co-Conservators of the Person and Estate without bond (bond upon permanent appointment) on 9-25-12.</p> <p>At a hearing on 11-5-12, the Court set status hearing for the filing of the I&A for 3-22-13.</p> <p>On 12-10-12, The Temporary Co-Conservators were authorized to sell the Conservatee's real property, with proceeds to be deposited into a blocked account.</p> <p>At hearing on 1-7-13, the petition for conservatorship of the <u>person</u> was withdrawn, and the conservatorship of the <u>estate</u> was extended to 3-29-13, but limited to the sale of the property and negotiate and settle with the Conservatee's creditors, including California Franchise Tax Board and IRS.</p> <p>Also on 1-7-13, the Court set this status hearing for filing of the First or Final Account of Temporary Conservator.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need receipt for blocked account (sale proceeds) 2. Need I&A. 3. Need status of the conservatorship estate at this time. Has the house sold? Have the debts been settled?
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 3-20-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Salzman</p>

Age: 19		DEBRA PASLEY , Mother, was appointed Conservator of the Person and Estate per Minute Order 2-1-13 with bond of \$15,000.00, order to be signed ex parte. Also at the hearing on 2-1-13, the Court set this status hearing for the filing of the bond. Note: Order filed 3-5-13, Letters not yet issued.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 3-1-13</u> 1. Need bond of \$15,000.00.
DOB: 4-23-93			
Cont. from 030113			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCC/JEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 2-25-13	
		Updates:	
		Recommendation:	
		File 13 - Pasley	

Pro Per Lee, Blia (Pro Per Guardian of the Estate)

Status Hearing Re: Filing of the Inventory and Appraisal

Age: 17 years		BLIA LEE , mother, was appointed Guardian of the Estate on 10/10/2012, for the purpose of receiving assets on behalf of the minor, who is the beneficiary of his deceased father's life insurance policy valued at \$25,000.00 .	NEEDS/PROBLEMS/COMMENTS: Continued from 3/8/2013. Minute Order states Tracy Vang is sworn and interprets for Ms. Lee. Examiner notes are provided to Ms. Lee. The Court directs Ms. Lee to cure the defects. The following issue remains: 1. <i>Final Inventory and Appraisal</i> filed on 1/23/2013 is incomplete, as no assets are stated on <i>Attachment 1</i> or <i>Attachment 2</i> of the appraisal form, and Item 1 on Page 1 of the form indicates an estate value of zero. Need corrected <i>Final Inventory and Appraisal</i> including a completed <i>Attachment 1</i> pursuant to Probate Code § 2610.
Cont. from 020813, 030813			
Aff.Sub.Wit.			
Verified			
Inventory	X		
PTC			
Not.Cred.			
		Minute Order dated 10/10/2012 from the hearing on the appointment ordered the money to be placed in a blocked account, and set this status hearing on 2/8/2013 for filing of the inventory and appraisal.	
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Receipt and Acknowledgment of Order for the Deposit of Money into Blocked Account filed 11/19/2012 shows an account balance of \$25,106.07 . <i>Final Inventory and Appraisal</i> filed 1/23/2013 shows an estate value of \$0.00 .	
		Reviewed by: LEG Reviewed on: 3/20/2013 Updates: Recommendation: File 14 - Vang	